

DEPARTMENT OF HEALTH SERVICES

714 744 P STREET
SACRAMENTO, CA 95814



April 1, 1985

To: All County Welfare Directors
County Administrative Officers

Letter No. 85-22

THE EFFECTS OF HR 3755 ON MEDI-CAL DISABILITY REEXAMINATIONS, VERIFICATION OF
DISABILITY AFTER TITLE II REEXAMINATIONS, AND REQUIRED USE OF FORM MC 223,
STATEMENT OF FACTS REGARDING DISABILITY

Reference: ACWD Letters 84-33 and 83-84

The purpose of this letter is to provide information on the effects of HR 3755, the Social Security Disability Reform Act of 1984, on Medi-Cal disability re-examinations, to further discuss verification of disability after Title II reexaminations, and the completion of form MC 223.

The Effects of HR 3755 on Disability Reexaminations

As the result of a change in federal law, effective October, 1984, the Social Security Administration (SSA) has directed Disability Evaluation Division (DED) federal and state programs to cease processing reexamination referrals until new federal regulations are issued in April 1985. Counties must continue to refer any cases with a reexamination date in a timely manner; however, DED will hold the referrals until the new regulations are received. Therefore, counties should not expect an expeditious response to reexamination referrals or requests made to SSA or DED for the results of a reexamination until after April, 1985. The individuals referred for reexamination will continue to be considered disabled until the results are received from DED state programs (or SSA for Title II reexaminations).

Verification of Disability Status After Title II Reexamination

In ACWD 84-33, dated July 26, 1984, we gave the following instructions regarding verification of disability after reexamination for Medi-Cal beneficiaries whose disabilities are established through Title II:

"When disability status is established by the Social Security Administration (SSA) for Title II disability recipients, SSA is responsible for requesting the reexamination. However, the county must verify that Title II disability status continues after that reexamination. Therefore, counties should submit form CA 810 or SSA 1510 to SSA for verification of Title II disability and request the disability onset date and the reexamination date. The disability onset date establishes the anterior limit of a disabled applicant's eligibility. The reexamination date must be recorded in the case file to verify eligibility later."

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SSA has informed us that it takes 60 to 90 days for the Title II disability reexaminations to be completed and the results made available. Therefore, counties should allow at least 60 but no more than 90 days from the reexamination date specified by SSA on the CA 810 or SSA 1610 before submitting a request for reverification of disability. As noted above, Title II reexaminations may be delayed due to HR 3755. Failure to request verification of disability after 90 days from the reexamination date may result in quality control errors.

Use of Form MC 223, Statement of Facts Regarding Disability

DED has requested that counties discontinue use of form MC 223A (12/82), Applicant's Supplemental Statement of Facts for Medi-Cal, and instead have Medi-Cal applicants complete form MC 223. Due to recent changes in disability evaluation procedures, the MC 223A (12/82) does not provide sufficient information to allow DED to develop the case without first contacting the applicant for further information. The necessity of contacting the applicant to obtain such information often delays development of the case and the issuance of the determination to the county. Therefore, in order to avoid undue delays in the disability determination process, counties must begin using the MC 223 as quickly as possible. Supplies of the MC 223 are available and may be ordered by submitting form DHS 2031 to:

Sherilyn Walden
Department of Health Services
Medi-Cal Eligibility Branch
714 P Street, Room 1692
Sacramento, CA 95814

Beginning April 30, 1985, DED will not process disability packages which do not include an MC 223. Such packages will be returned to the county for correction.

If you or your staff have any further questions, please contact Toni Bailey of my staff at (916) 324-4953.

Sincerely,

Original signed by

Doris Z. Soderberg, Chief
Medi-Cal Eligibility Branch

cc: Medi-Cal Liaisons
Medi-Cal Program Consultants

Expiration Date: July 31, 1985